

IN THE SENATE OF THE UNITED STATES.

MAY 23, 1860.—Ordered to be printed.

Mr. DAVIS made the following

REPORT.

[To accompany bill H. R. 371.]

The Committee on Military Affairs and the Militia, to whom was referred H. R. 371, "An act for the relief of Joseph B. Eaton," having had the same under consideration, report:

This act authorizes the payment to Joseph B. Eaton, assignee of Moses Carson, of six hundred and fifty-three dollars, for "twenty-five horses and saddles and three boxes of percussion caps" furnished by said Carson to Colonel Frémont's battalion of mounted volunteers, in October, 1846.

The claim is founded upon a due bill in these words:

"UNITED STATES MILITARY POST OF SONOMA,
October 31, 1846.

"I hereby certify that there is due to Moses Carson, for saddles, horses, arms, &c., (as per account,) purchased for the service of the United States, by order of Lieutenant Colonel J. C. Frémont, six hundred and fifty-three dollars.

"J. W. REESE,
"Lieut. U. S. Army, Commanding Officer."

[Indorsement.]

"It is within my knowledge that these supplies were furnished by Moses Carson for the service of the United States.

"J. C. FREMONT,
"Lieutenant, Commanding Battalion."

The account rendered is for twenty-five horses, one saddle, and three boxes of percussion caps.

The due bill was presented for adjudication to the board of army officers appointed under the act of August, 1852, where it was suspended on account of the absence of the voucher which now accompanies it.

In the account rendered there are 7 horses charged at \$30 each, 7 at \$25 each, 9 at \$20 each, 1 at \$40, and 1 at \$15; one saddle at \$30;

and 3 boxes percussion caps, at \$1 per box. The army board named above fixed the prices to be allowed for horses at \$30, \$25, \$20, and \$10, according to quality; and in no instance, it is believed, have they allowed \$40, but in many only \$10 was allowed; and it must be obvious that this bill would have been much reduced by the army board if they had acted upon it.

But there is an irreconcilable inconsistency upon every feature of this case. The due bill is for "saddles, horses, arms," &c. The account is for "25 horses, 1 saddle, and 3 boxes percussion caps." The bill, as it passed the House of Representatives, is for "25 horses and saddles," &c. If it were satisfactorily proved that this account is the voucher for which the due bill was given, there is no other evidence of the value of the supplies; and there are no arms in the account, no percussion caps in the due bill, and the language of this act certainly provides for the payment of 25 horses and 25 saddles.

Under these circumstances, the committee report the act back to the Senate with a recommendation that it do not pass

